

## **REMARKS**

### **I. Status of Claims**

Prior to entry of this paper, Claims 1-38 and 41-44 were pending. Claims 1-38 and 41-43 were rejected. In this paper, Claims 1, 11, 17, 27, 28, 34, and 43 are amended; no claims are cancelled or added. Claims 1-38 and 41-44 are currently pending. No new matter is added by way of this amendment. For at least the following reasons, Applicant's representative respectfully submits that each of the presently pending claims is in condition for allowance.

### **II. Response to Arguments**

In the previous response to a Non-Final Office Action, a number of arguments were provided in regards to the pending claims. In the Office Action issued December 28, 2007, responses were provided to some of these arguments. These responses are hereby acknowledged and appreciated. In the arguments that follow, certain of the previous arguments have been updated and further clarified based on the most recently provided feedback in the Office Action. For clarity, the labeling system (a,b,c, etc.) that was presented in the most recent Office Action has been adopted with this response. The use of these labels (a, b, c, etc) for the following remarks correlates, where possible, to the use of the labels in the Office Action issued December 28, 2007.

On the whole, it is respectfully submitted that the grounds of rejection and the combinations of references do not properly reflect the nature of involved references, nor that of the claimed inventions in pending Claims 1-38 and 41-44. For example, Madnick extracts data, as opposed to documents, explicitly stating that "documents are useless" and "the user is seeking an 'answer'... to a particular question, and not a list of documents" (col. 1. lines 62-67 of Madnick). Yet, the Office Action proposes to modify the system of Madnick by adding a document-based output, further disclosed in the teachings of Bates. In fact, the system of Bates actively "constructs one or more HTML documents" to return to a user (col. 12, lines 16-25 of Bates). In effect, the Office Action states that one of ordinary skill in the art would be motivated to modify to Madnick to make a product that, in Madnick's own terms, would be "useless" and "not" what a user is seeking. Such a position further conflicts with the guidance of MPEP 2143.01(V), which states "If proposed modification would render the prior art invention being

modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification". Madnick makes clear that the intended purpose of the system disclosed therein is "data-centric", not "document-centric", wherein "data" is extracted, rather than documents (col. 1, lines 51-53; col. 2, lines 40-41 of Madnick). As such, it is respectfully submitted that at least the proposed modification involving Bates conflicts with both the explicit teachings of Madnick as well as the guidance of the MPEP.

Similar conflicts arise between the combination of Madnick with Iizuka, as well as the combination of Madnick with Hennings. These distinctions between the references, which are respectfully submitted as prohibitive to the proposed combinations, are further discussed as follows:

(a) Regarding Bates, the most recent response, the Office Action states, "Result cache is represented as a data log". With this paper, claims such as Claim 1 have been amended to further clarify that the data log itself is being returned directly to the user. In Bates, a created document is being returned to a user, not the result cache itself.

In further detail and as stated previously in regards to **Claim 1**, the "first document" of Bates cited in the Office Action is not provided "directly to a user", nor is it "extracted", nor is it a "data log". As such, the Applicant respectfully submits that the combination of Madnick, Iizuka, and Bates does not teach or suggest the limitation of "providing the extracted data from the determined web domain address, wherein the extracted data is provided in a data log, and wherein the data log is provided directly to a user" as is recited in Claim 1.

Based on the Office Action, the "first document" of Bates is being equated to the claimed "extracted data from the determined web domain address". However, this "first document" in Bates is not "directly provided to a user" as is claimed for the "extracted data" of Claim 1. Instead, it is stored in a cache after multiple other documents are constructed (see col. 12, lines 23-25 of Bates). Storing the document in the cache after waiting for other documents to be constructed, as is done in Bates, is not the same, nor does it suggest "*and wherein the data log is provided directly to a user*" as claimed in Claim 1. Since the result cache represents an intermediate storage point for the transfer of the document in Bates, the handling of the "first document" cannot be considered to teach or suggest providing data "directly" to a user as claimed in Claim 1.

Furthermore, it is respectfully submitted that the “first document” is not equivalent or analogous to the claimed “extracted data from the determined web domain address”. It is also not equivalent or analogous to the extracted data of Madnick. In the context of Bates, the cited “first document” is neither ‘extracted’ nor does it contain data “from the determined web domain address”. Instead, the cited “first document” is “constructed” and it contains “a record identifier that is linked to an executable script that both (1) notifies the search engine of a user interaction and (2) initiates navigation to the document associated with that record” (see col. 10, lines 53-61; col. 12, lines 16-17 of Bates). In other words, the “first document” is newly generated and provides links to other documents. It is not the requested data, nor does it include the requested data. Accordingly, the statement in the final Office Action, “Bates teaches storing extracted documents as results in a results cache” is incorrect, since these documents are not “results”, nor are they “extracted”. Since this data in Bates is neither “extracted”, nor is it “from the determined web domain address”, it cannot be relied upon to teach or suggest the claimed limitation of “providing the extracted data from the determined web domain address, wherein the extracted data is provided in a data log”. Also, since Madnick specifically returns “data” or “answers”, and not “documents”, the “first document” of Bates is neither equivalent nor similar to the extracted data of Madnick (col. 1, lines 51-67; col. 9, lines 4-24 of Madnick). Accordingly, it cannot be relied upon to cure the deficiencies of Madnick, even in order to attempt to suggest the limitation as claimed.

Finally, the “first document” does not teach or suggest the claimed “in a data log”. The “log” cited in the words of Bates refers to an act of ‘recording’ or ‘logging’ as part of a process of tracking the user navigation, but it is not the “data log” of Claim 1 (col. 10, line 63 and col. 11, lines 1-3 of Bates). Again, as noted above, the ‘document’ of Bates does not include extracted search data, but rather it includes links to other documents. As also noted above, the ‘document’ of Bates is also not provided directly to a user. As such, these constructed “documents” of Bates cannot be considered to teach or suggest the limitation “providing extracted data . . . in a data log directly to a user” as presently claimed.

Iizuka does not cure any of the defects listed above. For at least these reasons, it is respectfully submitted that Madnick, even when considered in view of Iizuka and Bates does not teach or suggested all of the claimed limitations of Claim 1.

This argument also applies to the similar limitations of Claims 11, 17, 27, and 34. For at least the above reasons, it is respectfully submitted that Claims 1, 11, 17, 27, and 34 are allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejections of Claims 1, 11, 17, 27, and 34 be withdrawn.

**(b,c,h)** In the most recent Office Action, motivation has simply been repeated for combining the teachings of Bates, which involve documents, with those of Madnick, which expressly indicates that “documents are useless” and “the user is seeking an ‘answer’... to a particular question, and not a list of documents” (col. 1, lines 62-67 of Madnick). In such cases, MPEP 2143.01 states that “there is no proper suggestion or motivation to make the proposed modification”. As such, it is respectfully submitted that the motivation provided for Bates does not overcome the explicit indications of Madnick, much less the guidance provided in the MPEP.

In further detail, and as previously stated for **Claim 1**, adding the “document” type of output from Bates to the system of Madnick would result in a “document centric” form of data retrieval for the combined system. This would cause the system of Madnick to be rendered unsatisfactory for its intended purpose. Per MPEP 2143.01, the Applicant respectfully submits that there is no proper suggestion or motivation to make the proposed modification. Further explanation of this issue is as follows:

As discussed above, Bates teaches sending a document to a user as an initial result of a search (col. 12, lines 25-26). As also noted above, these documents contain links to other documents by embedding a script that implements the function of initiating navigation to a document of a record from a result set (see col. 10, lines 53-61 and col. 12, lines 16-19 of Bates). Clearly, the user in the system of Bates is presented with a document (col. 12, lines 25-26). However, Madnick specifically teaches away from “document centric” data retrieval, calling such a form of search response as “useless to the requesting user” (col. 1, lines 51-67). Instead, Madnick states that searches access multiple data sources to generate an “answer”, not a “list of documents that may or may not contain an answer the user is seeking” (col. 1, lines 65-67; col. 15, lines 24-25). The system of Madnick returns extracted data (col. 2, lines 40-41). Accordingly, to provide the search output style of Bates as part of the search output system of Madnick would change the principle of operation of the system of Madnick. Per MPEP 2143.01,

there is no suggestion or motivation to make the proposed modification, including that which has been presented in the Office Action. The statement of motivation in the Office Action does not supersede the explicit teachings of Madnick. For at least this reason, it is respectfully submitted that Madnick cannot be properly combined with Bates to render obvious the claimed limitation and the rejection based thereon should be withdrawn.

This argument also applies to the grounds of rejection cited with regards to similar limitations in Claims 11, 17, 27, and 34. For at least the above reasons, it is respectfully submitted that Claims 1, 11, 17, 27, and 34 are allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejections of Claims 1, 11, 17, 27, and 34 be withdrawn.

(d,i) For the motivation of adding Henning, the instant Office Action has added a motivation regarding the “adding contextual information for one or more documents”, citing col. 7, lines 40-45 of Henning. However, this statement does not overcome the fact that, regarding **Claim 4**, the “following links” of Hennings conflicts with the concept of “registered data sources” in the system of Madnick. As such, the proposed modification in the Office Action of adding the following links teaching of Henning to the data retrieval process of Madnick would greatly change the operating principle of the system of Madnick. Per MPEP 2143.01, the Applicant respectfully submits that these teachings of Hennings in view of Madnick, Bates, and Iizuka are not sufficient to render Claim 4 *prima facie* obvious. Further explanation of this issue is as follows:

The Office Action acknowledges that Madnick does not teach the limitation, “following links contained within the web domain until the links have been exhausted or following the links until a predetermined limit is reached” (page 23, lines 9-11). The applicant agrees. The Office Action attempts to remedy this lack of anticipation by relying on Hennings, stating that “Hennings teaches following the links until the Caribbean.htm is reached” (page 23, lines 11-12). However, this modification conflicts with the explicit teachings of Madnick. The sources of data in Madnick are required to be registered, which involves the creation of a descriptor file (col. 10, lines 12-18). This descriptor file includes information about a source, including “what data elements are available from the source” and “an address for the actual source of the data” (col.

10, lines 24-31). Registered web page sources also include a specification file that lists commands that “must be issued” in order to interact with the web pages (col. 12, lines 5-11). However, adding a “follow link” ability, such as that alleged to be taught by Hennings, would involve the premise that an address for the actual source of data is not already known (hence, the need to follow links). This expressly contradicts the teachings of Madnick cited above in columns 10 and 12, which state that such locations are already known (and thus, following links is not necessary). Also, if links were followed by the system of Madnick, then by Madnick’s own teachings, the command transmitter of Madnick would not have a list of the commands to issue in order to interact with the linked web page (col. 10, lines 24-31). Again, the operation of the system of Madnick requires a predetermined amount of knowledge about a data source, which is obtained through registering the data sources. “Following links” operates on undetermined data sources, but this lack of information would prevent the system of Madnick from functioning properly. As such, the proposed modification of Madnick in view of Hennings would greatly change a fundamental principle of operation of Madnick. Per MPEP 2143.01, the Applicant respectfully submits that the teachings of Madnick in view of Bates, Iizuka, and Hennings are insufficient to render the Claim 4 *prima facie* obvious.

This argument also applies to the grounds of rejection cited against the similar limitations of Claims 14, 25, and 35. For at least the above reasons, it is respectfully submitted that Claims 4, 14, 25, and 35 are allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejections of Claims 4, 14, 25, and 35 be withdrawn.

(e) Regarding Madnick, the most recent response, the Office Action states, “Madnick teaches the wrapper generator 624 as web crawler for searching web pages”. It is respectfully submitted that these teachings (col. 13, lines 20-35) do not teach “crawling”, much less a “web crawler” as is further claimed in at least Claim 23. The wrapper generator 614 of Madnick issues HTTP commands directly to web pages (col. 13, lines 26-30), which is not crawling, even when performed for a plurality of sources. Directly accessing a web page, even for a plurality of sources from a subdivided input query, is distinct in scope from “crawling” a web page, nor do the “search engines” of Bates and Iizuka cure this deficiency.

As stated previously, the Office Action cites col. 15, lines 25-35 of Madnick as anticipating “wherein the data extraction engine is a web crawler”. However, no discernable reference, explicit or otherwise is included in this cited passage for referring to a “web crawler”. In fact, the basic operation of a “web crawler” would be rather contradictory to the teachings of Madnick. For example, all of the data sources (104) “must” be registered before being accessed, and thus, the contents and locations of actual data are predetermined by virtue of this registering (see col. 10, lines 14-24 of Madnick). Again, a plurality of accessed sources teaches a number, not a manner, such as ‘crawling’, the involved sources. Madnick does not teach or suggest such a limitation. Madnick considered in view of the teachings of Bates and Iizuka does not cure this deficiency.

For at least the above reasons, it is respectfully submitted that Claim 23 is allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejections of Claim 23 be withdrawn.

(f,g) Regarding Madnick, the most recent response in the Office Action states, “Madnick teaches the web domain address such as <http://quotes.galt.com/cgi-bin/stockclnt> as on link address (table 2, col. 12)”. It is respectfully submitted that this part of table 2 refers to a subfolder of the site address, which is not a link address. “Link” and “path” are not equivalent in terms of scope, at least because the former pertains to a manner of navigation or reference, while the latter refers to an actual location. In fact, Madnick clearly states that the actual location of a data source is “determined by the input query in a deterministic way” (col. 14, lines 43-45), which substantiates the face that this entry in table 2 of Madnick, since it exists prior to the input query, does not teach or suggest an actual “link address” as is further claimed in at least Claims 24 and 26.

As previously presented regarding **Claims 24 and 26**, the web pages in the cited portion of Madnick, col. 9, line 55 – col. 10, line 5, does not include any reference to “web domain address further comprising at least one link address” as part of any interconnection between web pages 612, 612’, and 612”. Accordingly, neither the limitation of, “wherein the web domain address further comprises at least one link address” in Claim 24, nor the similar limitation in

Claim 26, are neither taught by Madnick or suggested by the combination of Madnick in view of Bates and Iizuka. Further explanation is as follows:

The cited portion of Madnick includes multiple data sources 104 that are web pages (612, 612', and 612"). However, no interconnection between these web pages is specified in the disclosure of Madnick, including one that would further involve a relationship via a link address. As such, none of these pages can be properly interpreted or associated with the claimed "at least one link address". "Link" information, as opposed to "URL" information, is also lacking from Table 2 of Madnick. The URLs in the descriptor files of Madnick are not "links" in the context of Madnick – they are just additional addresses. The registering of the data sources in the system of Madnick, as discussed in more detail above (col. 10, lines 20-24 of Madnick), eliminates the need for links in the actual data sources of Madnick. The inclusion of the additional teachings of Bates and Iizuka do not cure this deficiency. It is respectfully submitted that a prima facie case of obviousness has not been established for Claims 24 and 26 for at least this reason.

For at least the above reasons, it is respectfully submitted that Claims 24 and 26 are allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejections of Claims 24 and 26 be withdrawn.

(j) Regarding Hennings, the most recent response in the Office Action states, "Hennings teaches data is parsed in many portions as shown in fig.4 ". However, it is respectfully noted that the HTML code of Figure 4 does not indicate how this code may be handled as part of a search, including that which involves "further parsing of data determined by the links included on the webpage", as further claimed in at least Claim 36. "Portions" of code indicate what the document is, but do not indicate how data is treated as part of an ongoing process, including that which is further claimed in at least Claim 36. As such, Hennings does not show "parsing" in relation to Figures 1B or Figure 4. Accordingly, the applicant respectfully submits that all claim limitations are not taught or suggested by the applied references of Madnick in view of Iizuka, Bates, and Hennings. Further explanation is as follows:

Claim 36 recites the limitation, "further parsing the data of webpages determined by the links included on the webpage". The Office Action admits that Madnick does not explicitly teach this limitation, but relies on Hennings to at least suggest this limitation in view of Madnick.



The Office Action states, “parsing data as shown in fig. 1b, 4 to determine links included on the web page (fig. 8)”. However, Figure 1B, and its associated description do not teach or suggest any form of “parsing” (see col. 4, lines 45-53 of Hennings). Figure 1B illustrates HTML of a web page and the concept of relative URLs. Figure 4 simply shows HTML code of an exemplary web page (col. 11, lines 10-19 of Hennings). The text of the HTML in Figures 1b and 4 is not involved in any form of “parsing”, even giving such a term its broadest reasonable interpretation in light of the presently submitted specification. The evaluation of a relative URL is not a form of ‘parsing’, nor is it applied to “the data of the webpages determined by the links on the web page” since it involves considering the relative URL. The teachings and description of Figure 1B and 4 do not involve any form of the searching that is involved in Madnick. Further, there is no motivation or teaching in any of the references that would suggest “parsing” data on “webpages determined by the links” in the system of Madnick because the system of Madnick utilizes “an address for the actual source of data” and, therefore, would not need to follow links to find data for “further parsing”. Neither Bates nor Iizuka cures this deficiency in the teachings of Madnick and Hennings. Accordingly, the applicant respectfully submits that the prior art references do not teach or suggest the all the claim limitations for at least this reason, and accordingly, a *prima facie* case of obviousness has not been established.

For at least the above reasons, it is respectfully submitted that Claim 36 is allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejection of Claim 36 be withdrawn.

(k) In the most recent response, the Office Action states, “This information shows the system reduced the retrieved content to a region of interest as Sedans (col. 22, lines 22-45)”. Again, the applicant’s representative respectfully disagrees. The term “region of interest”, even in its broadest reasonable interpretation, is a *spatial* term referring to a location or relative physical relationship. “Sedans” and “sedans.html” are objects or a category, but not a “region of interest” derived from the action of “reducing the retrieved content” as it is further claimed in at least Claim 8.

Claim 8 recites the limitation, “reducing the retrieved data to a region of interest”. The Office Action states that Madnick does not teach or suggest this limitation (page 26, lines 15-19). The Applicant agrees. The Office Action further relies on Jammes as teaching this limitation, stating “Jammes teaches the claimed limitation ‘reducing the retrieved content to a region of interest’ as an HTML coded set result: web/sedans.html>Sedans</A. This information shows the system of reduced the retrieved content to a region of interest as Sedans (col. 22, lines 22-45)”. The applicant respectfully disagrees. First, nothing in the cited part of Jammes (col. 22, lines 22-45) refers to Sedans. As such, the basis of this rejection and interpretation of Jammes is unclear. Second, the references to “Sedans” in Jammes do not involve a “region” of interest. For example, Sedans are discussed in column 46, lines 18-65. This discussion, however, does not involve any “region of interest”. Instead, “Sedans” is listed as a “data record” (col. 46, lines 40-46). There is no spatial “region” associated with these data records. Instead, this record is located based on a “Group\_ID” 1816 of 60004 (col. 46, lines 27-31). This numerical reference to a “Group\_ID” is not a form of the claimed “region of interest”, and as such, cannot be considered to read on the claimed “region of interest” which is a result of “reducing the retrieved content”. It is further noted that the “Sedans” data group is obtained from scanning a database (116) in Jammes (col. 46, lines 27-31). However, the “retrieved data” in Claim 8 is specifically “a non-database structured arrangement of data”, per the limitations of Claim 1. Clearly, the “database” structure of the source in Jammes is not the same or analogous to the “non-database arrangement of data” as presently claimed in Claim 8 in reference to its parent claim, Claim 1. Accordingly, the “database” derived teachings cannot be said to teach or suggest the claimed limitation of Claim 8, nor can they be applied to the semi-structured data sources of Madnick. Neither Bates nor Iizuka cure this deficiency. The Applicant respectfully submits that not all of the claim limitations of Claim 8 have been taught or suggested by the applied references.

{S:\08214\1200332-US2\80166331.DOC 100%}

(l) With this paper, Claim 28 has been clarified to recite that the at least one link is listed in the query itself. In contrast, the links in the system of Madnick are listed in a “specification file” (col. 12, line 4-9 of Madnick). They are not derived via “parsing” the query; they are predetermined in the specification file as part of a sequence of commands. No commands are parsed “to determine at least one link listed in the query, wherein the link is used to search the website indicated by the link in the query”, since the addresses listed in the table are explicitly stated, and thus, don’t need to be “determined”. It is further noted that Table 2 of Madnick does not include “at least one link to be searched”. URLs, such as “quotes.galt.com” are listed, but they are not listed in a hyperlink format, nor do they refer to other URLs as links. As such, these URLs cannot be considered “at least one link”. Bates does not cure this deficiency. Accordingly, for at least the above reasons, Madnick in view of Bates does not teach or suggest all of the claimed limitations of Claim 28.

For at least the above reasons, it is respectfully submitted that Claim 28 is allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejection of Claim 28 be withdrawn.

(m) Regarding **Claim 29**, Hennings does not teach “extracting” Golfing data at a second or “other” web page, even in relation to Figure 8. Accordingly, the applicant respectfully submits that all claim limitations of Claim 29 are not taught or suggested by the applied references of Madnick in view of Bates, and Hennings. Further explanation is as follows:

Claim 29 recites the limitation, “extracting at least another portion of the data at the at least one other website based on the database-structured query and the provided web domain address, wherein the at least one other website includes a non-database structured arrangement of data that is processed as a searchable database”. The Office Action admits that Madnick does not explicitly teach this limitation, but relies on Hennings to at least suggest this limitation in view of Madnick (page 25, line 19 through page 26, line 3). The Office Action states, “Henning teaches extracting Golfing data at the second web page. This web page includes an HTML document as a non-database structured arrangement of data (fig. 8)”. However, Figure 8, and its associated description do not teach or suggest any form of “extraction” (see col. 15, lines 36-65 of Hennings). Figure 8 shows the promotion of data from a nested link. This data is not

“extracted”, nor is it promoted “based in part on the database-structured query” as claimed. “Promotion” does not teach or suggest “extraction”. In fact, the transfer of contextual data cannot be extracted “based in part on the database-structured query” because there is no “database-structured query” taught or suggested by Hennings, including in reference to Figure 8. Accordingly, the data represented in Figure 8 is also not “processed as a searchable database” as further claimed in Claim 29, because there is no database-structured query with which to do the processing. This lack of a type of “extraction” or a “database-structured query” prevents the teachings of Hennings from teaching or suggesting all of the limitations of Claim 29 as claimed. It also prevents the application of teachings from Hennings to those of Madnick, since Madnick is generally based on data retrieval, but the teachings of Hennings involve data promotion. Bates does not cure this deficiency in the teachings of Madnick and Hennings. Accordingly, the applicant respectfully submits that the prior art references do not teach or suggest the all the claim limitations for at least this reason, and accordingly, a *prima facie* case of obviousness has not been established.

For at least the above reasons, it is respectfully submitted that Claim 29 is allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejection of Claim 29 be withdrawn.

(o) Regarding Claim 34, the most recent Office Action has repeated the previous grounds of rejection. With this paper, Claim 43 has been amended to clarify that the “binary file”, as claimed, “satisfies the query condition” first noted in parent Claim 34. The basis of the “downloading of the file” is not disclosed in Eckes. Further, the action of downloading the large binary file is what slows down the network in Eckes, which is the opposite of the motivation provided for incorporating this teaching of Eckes into those of Madnick. These two points suggest that one of ordinary skill in the art would not combine the references as proposed, at least not for the motivation provided.

As previously stated in regards to **Claim 43**, the binary file listed in Eckes is not a form of “extracted data” that “satisfies the query condition” as claimed. As such, the claimed invention has not been considered as a whole, which is required for a rejection under 35 U.S.C. 103, as is noted in MPEP 2141. Accordingly, the Applicant respectfully submits that a *prima*

*facie* case of obviousness has not been established for Claim 43 for at least this reason. Further explanation is as follows:

Claim 43 recites the limitation, “the extracted data includes at least one binary file”. Claim 34, as amended, stipulates that this extracted data is data “that satisfies the query condition”. However, the downloading of a binary file in Eckes neither teaches nor suggests that this data transfer includes data that satisfies a query condition (see col. 2, lines 39-47). This means that the “binary file” of Eckes (which is noted as a graphics file) cannot be considered to teach the claimed limitation of “extracted data”. Again, the limitations of Claim 43 have not been considered as a whole. As such, the teachings of Eckes, even when considered in view of the further teachings of Madnick in view of Iizuka and Bates, do not teach or suggest this limitation. It is further noted that the downloading of a binary file in Eckes is noted as causing a network “to lose throughput” (col. 2, line 40-41). This is the exact opposite of the cited motivation in the Office Action, “in order to allow faster retrievals and reduced resource consumption”, since this lower throughput is the result of one user utilizing all the resources to download the very large binary file, thereby also preventing other users the same amount of download capability. Accordingly, this motivation does not support the proposed modification.

For at least the above reasons, it is respectfully submitted that Claim 43 is allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejection of Claim 43 be withdrawn.

(p) Regarding at least Claim 7, the cited teachings of Jammes refer to a querying a database (114,116) with explicitly indicated query terms (col. 8, lines 53-67; col. 30, lines 7-10 of Jammes). Such explicit indication of terms, such as “product\_id”, precludes the need to “scan the data at the determined web domain address”. The database 116 is not “data at the determined web address”. A database query is not a “scan”, nor does such an input query indicate where to “stop”, each of which are claimed in at least Claim 7. Madnick, Iizuka, and Bates do not cure this deficiency. Accordingly, withdrawal of this rejection is respectfully requested.

(q) Regarding at least Claim 11, the “HTML documents” and “flat files” and “menu-driven database systems” are not “tab delimited data files” (col. 2, lines 28-36). Clearly,

Madnick does not teach that these flat files are tab delimited, as is at least further claimed in Claim 11. Regardless, these flat files are input sources from which data is obtained (col. 13, lines 10-13 of Madnick), not tab delimited data files that "provided directly to the user" as is further claimed in at least Claim 11. Accordingly, withdrawal of this rejection is respectfully requested.

(r) Further regarding **Claim 1**, Madnick does not suffer from any of the sources of problems listed in the prior art description of Iizuka. Therefore, the motivation statement is not valid because the problems with the prior art in Iizuka do not apply to the teachings of Madnick. The Applicant respectfully submits that no art-appropriate motivation has been provided for combining the teachings of Madnick with those of Bates and Iizuka, and *prima facie* obviousness has not been established. Further explanation of this issue is as follows:

It is acknowledged that the basis of the motivation statement in the Office Action is derived from the "Description of the Prior Art" found in columns 1-4 of Iizuka (see particularly col. 4, lines 38-41). However, these issues are not present in the system of Madnick. For example, Madnick returns data, not documents, so a user does not access returned documents one by one (col. 1, lines 65-67 and col. 2, lines 40-41 of Madnick in comparison with col. 1, lines 58-66 and col. 3, lines 33-38 of Iizuka). Madnick uses predetermined locations and expressions to retrieve data and as such, does not retrieve a lot of irrelevant data for a user (compare Table 2 of Madnick with col. 2, lines 28-34 of Iizuka). Madnick also does not involve a common search interface for URL search engines and as such, cannot be considered to have the problems that are alleged to be involved with such as system, such as those noted in col. 4, lines 1-41 of Iizuka. Further, the portion of Iizuka relied upon in the rejection is the input portion of Iizuka, which does not particularly pertain to the "integrated retrieval scheme" for "retrieving", "converting", and "returning" information that has more recently been added to the motivation for such a combination. Accordingly, since Madnick is not analogous to the prior art cited in Iizuka, then the advantages of Iizuka over that prior art are not necessarily applicable to the teachings of Madnick. There is simply no clear line of connection or similarity to the cited motivation from Iizuka and the teachings of Madnick. If this motivation statement is further based on the knowledge of persons of ordinary skill in the art, then it should be noted that it is inappropriate to rely solely on common knowledge in the art without evidentiary support in the

record as the principal evidence upon which a rejection was based, per MPEP 2144.03. Again, it is respectfully submitted that no such evidentiary support has been presented. Accordingly, the Applicant respectfully submits that this motivation does not suffice to establish a case of *prima facie* obviousness as is necessary for a rejection under 35 U.S.C. 103.

This argument also applies to the grounds of rejection cited against the similar limitations of Claims 17 and 34. For at least the above reasons, it is respectfully submitted that Claims 1, 17, and 34 are allowable over the presently applied prior art. Accordingly, the Applicant respectfully requests that the rejections of Claims 1, 17, and 34 be withdrawn.

(s) Further regarding **Claim 1**, the motivation statement provided in the Office Action conflicts with the teachings of Bates and Iizuka. As such, the Applicant respectfully submits that proper motivation has not been provided for combining the teachings of Madnick with those of Bates and Iizuka and *prima facie* obviousness has not been established for the present invention as claimed in Claim 1. Further explanation of this issue is as follows:

The Office Action stated the motivation for combining the references as “to provide a result quickly to a user after retrieving data from a plurality of semi-structured document via open network without need a lot of time and labor to design and further to provide an integrated retrieval scheme” (Office Action page 14, lines 12-19). However, the cited teachings of Bates and Iizuka explicitly contradict this motivation. Since the cited “documents” Bates are first stored in a result cache after all other documents are generated, they do not “provide a result quickly to a user after retrieving data” (see col. 12, lines 16-26 of Bates). Since the “document” of Bates provides links that require further action from a user to get to a result and do not provide the result itself, they also cannot be considered to “provide a result quickly to a user” (see col. 10, lines 57-61 of Bates). Finally, the addition of the user interface unit of Iizuka (col. 13, lines 35-37) to generate the search query of Madnick (col. 9, lines 57-65), would involve additional steps and user input, such as the ‘search conditions’, along with the initial structured query discussed of Madnick (col. 9, lines 25-41). Madnick specifically states that such an implementation would require users “to learn a specialized query language for accessing web pages”, which “would defeat the purpose of the ‘intranet’ and would be virtually impossible on the Internet” (col. 2, lines 20-24). Clearly, such a combination of Iizuka with Madnick would

**Claims 1, 2, 3, 5, 6, 10, 17-24, 26, 34, 37, and 38** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Madnick et al. (US 5,913,214) in view of Iizuka et al. (US 6,424,980) and Bates et al. (US 6,873,982). **Claims 4, 35, and 36** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Madnick et al. (US 5,913,214) in view of Iizuka et al. (US 6,424,980) and Bates et al. (US 6,873,982) and further in view of Hennings et al. (US 6,763,496). **Claim 7** is rejected under 35 U.S.C. 103 (a) as being unpatentable over Madnick et al. (US 5,913,214) in view of Iizuka et al. (US 6,424,980) and Bates et al. (US 6,873,982) and further in view of Jammes et al. (US 6,484,149). **Claims 8-9** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Madnick et al. (US 5,913,214) in view of Iizuka et al. (US 6,424,980) and Bates et al. (US 6,873,982) and further in view of Jammes et al. (US 6,484,149) and Christianson et al. (US 6,085,186). **Claims 11-12, 15, 27-28, and 30-33** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Madnick et al. (US 5,913,214) in view of Bates et al. (US 6,873,982). **Claim 13** is rejected under 35 U.S.C. 103 (a) as being unpatentable over Madnick et al. (US 5,913,214) in view of Bates et al. (US 6,873,982) and Gupta (US 2002006222). **Claims 14 and 29** are rejected under 35 U.S.C. 103 (a) as being unpatentable over Madnick et al. (US 5,913,214) in view of Bates et al. (US 6,873,982) and further in view of Hennings et al. (US 6,763,496). **Claim 16** is rejected under 35 U.S.C. 103 (a) as being unpatentable over Madnick et



al. (US 5,913,214) in view of Bates et al. (US 6,873,982) and Jammes et al. (US 6,484,149). **Claim 25** is rejected under 35 U.S.C. 103 (a) as being unpatentable over Madnick et al. (US 5,913,214) in view of Bates et al. (US 6,873,982) and Nehab et al. (US 6, 029,182). **Claim 42** was rejected under 35 U.S.C. 103(a) as being unpatentable over Madnick et al (US 5,913,214) in view of Iizuka et al (US 6,424,980) and Bates et al (US 6,873,982) and Fleskes (US 6,529,910). **Claim 43** was rejected under 35 U.S.C. 103(a) as being unpatentable over Madnick et al (US 5,913,214) in view of Iizuka et al (US 6,424,980) and Bates et al (US 6,873,982) and Eckes (US 6,873,982). **Claims 41** was rejected under 35 U.S.C. 103(a) as being unpatentable over Madnick et al (US 5,913,214) in view of Iizuka et al (US 6,424,980) and Bates et al (US 6,873,982) and Rheume et al. (US 6424980). **Claims 41 and 44** were rejected under 35 U.S.C. 103(a) as being unpatentable over Madnick et al (US 5,913,214) in view of Iizuka et al (US 6,424,980) and Bates et al (US 6,873,982) and Jammes et al. (US 6,484,149). Applicant respectfully traverses these rejections.

With this paper, **Claims 1, 11, 17, 27, and 34** have been amended to clarify that the provided data log or tab delimited file comprises the extracted data and is provided directly to a user, as is further represented in similar, albeit different manners, in each of these respectively amended claims. As discussed above with regards to at least remarks (a), it is respectfully submitted that Madnick and Bates, even in further combination with Iizuka, do not teach or suggest at least this limitation.

These claims, **Claims 1, 11, 17, 27, and 34**, have also been amended to clarify the nature of the at least one fundamental clause with regards to the other limitations of the respectively claimed inventions in each of these claims, Claims 1, 11, 17, 27, and 34. Support for this amendment can be found throughout the specification as originally filed, including on page 1, line 17 through page 13, lines 8. For example, Claim 1 has been amended to at least recite:

- (a) *enabling a database-structured query with at least one fundamental clause to be generated by a user;*
- (b) *determining a web domain address on the network from which to extract the data;*
- (c) *extracting the data from the web domain address directly by retrieving a non-database structured arrangement of data from the determined web domain address and*

(d) repeating steps (b) and (c) in an iterative manner based on the at least one fundamental clause generated by the user; and

So far as **Claims 11, 17, 27, 34** include similar, albeit different, limitations to those discussed herein with regards to Claim 1, it is respectfully submitted that this discussion applies to at least these claims as well. Accordingly, withdrawal of the rejections of these claims is respectfully requested for at least similar reasons.

Further, **Claims 2-10, 12-16, 18-26, 28-33, 35-38, and 41-44** are at least not taught or suggested for the same reasons as amended independent Claims 1, 11, 17, 27, and 34 upon which they respectively depend. Thus, the rejection of these claims is respectfully submitted as moot and withdrawal of the previous rejections thereto is respectfully requested.

**IV. Conclusion**

In view of the above amendment, applicant's representative believes the pending application is in condition for allowance.

Dated: March 28, 2008

Respectfully submitted,

By *Wigand Reg # 5236 for*  
John W. Branch  
Registration No.: 41,633  
DARBY & DARBY P.C.  
P.O. Box 770  
Church Street Station  
New York, New York 10008-0770  
(206) 262-8900  
(212) 527-7701 (Fax)  
Attorneys/Agents For Applicant